

ATTORNEY DOCKET NO. 12085

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1711
#4
10/16/02
AS
RECEIVED
OCT 08 2002
TC 1700

In re Application of: GARY BRANT ET AL.

Serial No. 10/036,694

Group No.: 1711

Filed: December 21, 2001

Examiner: Not Yet Assigned

For: "POLYURETHANE FOAM COMPOSITION AND ADDITIVE USEFUL IN SHOE SOLE APPLICATIONS AND METHODS OF MAKING SAME"

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. _____, filed on _____. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [_____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

FOREIGN LANGUAGE DOCUMENTS

- ☒ There are no foreign language documents listed on Form PTO-1449.
- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are submitted herewith:
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following non-English language information is set forth in the above-identified specification:

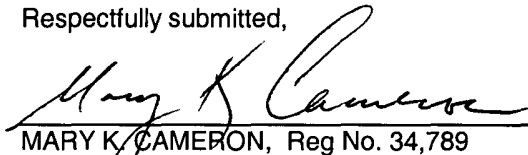
CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$180.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Respectfully submitted,



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FORM PTO - 1449 (Modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use Several Sheets if necessary)

(37 CFR 1.98(b))

ATTY. DOCKET NO.
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GARY BRANT ET AL.FILING DATE
DECEMBER 21, 2001GROUP/ART UNIT
1711

EXAMINER

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U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUB- CLASS | FILING DATE |
|---------------------|--|---------------|---------------|------------------|-------|---------------|----------------|
| | | 5,709,954 | 01/20/98 | LYDEN ET AL. | | | |
| | | 5,194,325 | 03/16/93 | JONES | | | |
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FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

| EXAMINER INITIAL | | DOCUMENT NUMBER | PUBLI- CATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUB- CLASS | TRANS- LATION | |
|---------------------|--|-----------------|--------------------------|-----------------------------|-------|---------------|------------------|----|
| | | | | | | | YES | NO |
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| | | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of publication)

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|---------------------|--|--|--|--|
| EXAMINER INITIAL | | | | |
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| EXAMINER | DATE CONSIDERED |
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Examiner: Initial citation considered. Draw a line though citation if not in conformance and not considered. Include copy of this form with next communication to the applicant

FORM1449

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| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUB- CLASS | FILING DATE |
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| | | 5,658,959 | 08/19/97 | VALOPPI ET AL. | | | |
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| | | 6,218,443 B1 | 04/17/01 | VALOPPI ET AL. | | | |
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| EXAMINE R INITIAL | | DOCUMENT NUMBER | PUBLI- CATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUB- CLASS | TRANS- LATION | |
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| | | | | | | | YES | NO |
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| | 3,713,232 | 01/30/73 | BOHMANN | | | |
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| | 5,672,632 | 09/30/97 | VALOPPI ET AL. | | | |

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

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|---------------------|-----------------|--------------------------|-----------------------------|-------|---------------|------------------|----|
| | | | | | | YES | NO |
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OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of publication)

| EXAMINER INITIAL | | | |
|---------------------|--|--|---|
| | | | |
| | | | "HIGH PERFORMANCE WAX ADDITIVE—FOR THE PRINTING INK, PAINT AND COATINGS INDUSTRIES, MICRO POWDERS, INC., REPRESENTED BY DAR-TECH, INC.; |
| | | | MICRO POWDERS, INC. PRODUCTS AND APPLICATIONS SHEET FOR POLYFLUO® 150; |
| | | | SHAMROCK TECHNOLOGIES, INC. TECHNICAL DATA, FLUOROETHYLENE POLYMER, 12/12/1994. |
| EXAMINER | | | DATE CONSIDERED |

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